THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION NO : 19113 of 2005

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Dated:06.09.2005

Between:

Manda Penchalamma, W/o.Pedda Yanadaiah,
R/o.Door No.25/4081 R/o.A-Block, Arundhatipalem,
Vengalarao Nagar, Nellore, and others.

..... PETITIONERS

AND

The District Collector, Nellore District, Nellore, and others.

…..RESPONDENTS

ORDER:

The petitioners claim to belong to Scheduled Caste. They allege that they have been in occupation of a piece of land admeasuring 70 cents each in Survey No.2153 at Mulapeta Harijanwada in Nellore Town. They further allege that they have been regularly cultivating the land and made an application to respondents seeking pattas, in vain. According to the petitioners, on 18.08.2005 the sub-ordinate Officials of respondents visited the lands of the petitioners and took the measurements. Apprehending forcible eviction, they are before this Court.

A reading of the affidavit accompanying the writ petition filed by the first petitioner does not contain any specific allegation. The allegations made are so vague that based on such allegations, this Court cannot infer any right, much less, enforceable legal rights, on the petitioner for the relief they seek. The petitioners' counsel is also not able to place any material in proof of the allegations that the petitioners are cultivating the land since 1960.

In the above factual background, this Court is not inclined to exercise its extra ordinary power under Article 226 of the Constitution of India. It shall be open to the petitioners to approach the first respondent for grant of pattas, if so advised.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

06.09.2005

vs